

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT COURT OF ILLINOIS, EASTERN DIVISION

IN RE: Lion Air Flight JT 610 Crash

WILSON SANDI, as Personal Representative of the Estate of DEDE ANGGRAINI, and as next friend of her minor children A.A.J.S., and A.A.J.S.,

Plaintiffs,

v.

THE BOEING COMPANY,

Defendant.

MYRNA JULIASARI, as Personal Representative of the Estate of SEKAR MAULANA, and as next friend of his minor children S.N.F., M.N.S., M.E.N., and A.N.S.,

Plaintiffs,

v.

THE BOEING COMPANY,

Defendant.

MERDIAN AGUSTIN, as Personal Representative of the Estate of EKA SUGANDA, and as next friend of his minor children A.M.A., and F.F.F.,

Plaintiffs,

v.

THE BOEING COMPANY,

Defendant.

YESENIA FERNANDEZ, as Special Administrator of the Estate of IBNU HANTORO, and as next friend of his minor children A.Z.H., and F.R.H.,

Plaintiffs,

Lead Case: 1:18-cv-07686

Related Case Nos.: 1:19-cv-02074 (Decedents Anggraini, Maulana, and Agustin); 1:19-cv-02312 (Decedent Hantoro); 1:19-cv-02764 (Decedents Nuraini, Ramadhan, and Silvianti)

Assigned for All Purposes to Hon. Thomas M. Durkin

PLAINTIFFS' SECOND UNCONTESTED MOTION TO FURTHER MODIFY ORDERS APPROVING MINORS' SETTLEMENTS TO CHANGE BANK

<p>v. THE BOEING COMPANY, Defendant.</p>
<p>M. SHOLEKHU DIN ZUHRI, as Personal Representative of the Estate of HESTI NURAINI, and as next friend of her minor child N.E.Q., Plaintiffs, v. THE BOEING COMPANY, Defendant.</p>
<p>DHINA ALDINA SAPUTRI, as Personal Representative of the Estate of SHANDY JOHAN RAMADHAN, and as next friend of his minor child H.U.A., Plaintiffs, v. THE BOEING COMPANY, Defendant.</p>
<p>ADITHYA WIRAWAN, as Personal Representative of the Estate of YULIA SILVIANTI, and as next friend of her minor children R.V.A., and Y.H.S., Plaintiffs, v. THE BOEING COMPANY, Defendant.</p>

**PLAINTIFFS' UNCONTESTED MOTION TO MODIFY ORDERS APPROVING
MINORS' SETTLEMENTS TO CHANGE BANK**

A. INTRODUCTION

PLEASE TAKE NOTICE that the following Plaintiffs hereby move for an order modifying the Court's orders approving minors-plaintiffs' settlement:

1. Plaintiff WILSON SANDI, individually and as the personal representative for the

estate of Decedent DEDE ANGGRAINI and next friend for the minor(s)-plaintiff(s) A.A.J.S. and A.A.J.S., in the coordinated action entitled *Wilson Sandi v. The Boeing Company*, Case No. 1:19-cv-02074 (“**Anggraini Action**”);

2. Plaintiff MYRNA JULIASARI, individually and as the personal representative for the estate of Decedent SEKAR MAULANA and next friend for the minor(s)-plaintiff(s) S.N.F., M.N.S., M.E.N., in the coordinated action entitled *Myrna Juliasari v. The Boeing Company*, Case No. 1:19-cv-02074 (“**Maulana Action**”);

3. Plaintiff MERDIAN AGUSTIN, individually and as the personal representative for the estate of Decedent EKA SUGANDA and next friend for the minor(s)-plaintiff(s) A.M.A. and F.F.F., in the coordinated action entitled *Merdian Agustin v. The Boeing Company*, Case No. 1:19-cv-02074 (“**Suganda Action**”);

4. Plaintiff YESENIA FERNANDEZ as the special administrator for the estate of Decedent IBNU HANTORO and next friend for the minor(s)-plaintiff(s) A.Z.H. and F.R.H., in the coordinated action entitled *Yesenia Fernandez v. The Boeing Company*, Case No. 1:19-cv-02312 (“**Hantoro Action**”);

5. Plaintiff M. SHOLEKHUDIN ZUHRI, individually and as the personal representative for the estate of Decedent HESTI NURAINI and next friend for the minor(s)-plaintiff(s) N.E.Q., in the coordinated action entitled *M. SholekHUDIN Zuhri v. The Boeing Company*, Case No. 1:19-cv-02764 (“**Nuraini Action**”);

6. Plaintiff DHINA ALDINA SAPUTRI, individually and as the personal representative for the estate of Decedent SHANDY JOHAN RAMADHAN and next friend for the minor(s)-plaintiff(s) H.U.A., in the coordinated action entitled *Dhina Aldina Saputri v. The Boeing Company*, Case No. 1:19-cv-02764 (“**Ramadhan Action**”); and

7. Plaintiff ADITHYA WIRAWAN, individually and as the personal representative for the estate of Decedent YULIA SILVIANTI and next friend for minor(s)-plaintiff(s) R.V.A. and Y.H.S., in the coordinated action entitled *Adithya Wirawan v. The Boeing Company*, Case No. 1:19-cv-02764 (“**Silvianti Action**”).

The aforementioned plaintiffs are collectively referred to herein as “**Plaintiffs**”.

Due to unexpected further requests from the legal department of Comerica Bank, which requests in retrospect are reasonable, Plaintiffs respectfully request this Court to further modify its June 24th, 2020 order approving the settlement of the minors’ claims against Defendant THE BOEING COMPANY (“**Defendant**”) (*see Exhibit “A”* [06/24/2020 Orders] at Dkt. 602 in order to change the name of the banking institution for the minors-plaintiffs’ blocked accounts from “**Chase Bank, Comerica Bank, Comerica Securities, Inc., and/or any other FDIC insured banking institution in the United States,**” in the previous order, to “**Comerica Bank, and/or any other FDIC-insured banking institution in the United States, or any affiliates thereof for the purpose of investing in FDIC-insured products.**” The Court previously granted the Motion to Modify Orders Approving Minor Settlements to Change Bank at Dkt. 602. No other changes are requested in the instant motion.

B. FACTS

Current Minors’ Settlement Orders. On June 24th, 2020, in the Anggraini Action, Maulana Action, Suganda Action, Hantoro Action, Nuraini Action, and Hantoro Action, the Court has previously approved the modification at paragraphs 5 and 8 to name “Chase Bank, Comerica Bank, Comerica Securities, Inc., and/or any other FDIC insured banking institution in the United States” in lieu of “Atlantic Union Bank”. See Dkt. 602. However, after submitting the already approved court order to Comerica’s legal department, Comerica’s legal department requested

further change in the language of the order to ensure that the exact transactions are authorized.

Reason Bank Change Necessary. Once again, in compliance with the Court's orders, Mr. Indrajana diligently prepared for the transfer of all minors-plaintiffs' settlement proceeds into their individual blocked trust accounts. Unfortunately, Comerica's legal department came back and notified Mr. Indrajana that the approved amended language of the Court's Order needed to be modified to allow for transfer of the funds through Comerica affiliates to the target FDIC insured blocked account. After discussing at length to see if resolution could be achieved without another motion, in order to fully comply with the Court's order while allowing the blocked minor trust accounts to be invested in appropriate investment products, Plaintiffs had no choice but to submit this second motion in order to incorporate the small correction requested by Comerica Bank.

Meet & Confer Requirement Satisfied. Pursuant to Judge Thomas M. Durkin's general order applying Local Rule 37, Plaintiffs' counsel telephonically conferred with all potentially interested parties—namely, Defendant's counsel—in good faith on or before the date of filing the instant motion to resolve the issues presented. Defendant indicated that it does not take any position with respect to the instant motion and Plaintiffs' request to further modify the minors' settlement orders to change the name of the banking institution to handle the minors' blocked trust accounts. As a result, Defendant The Boeing Company will not oppose the motion, which is therefore uncontested.

C. ARGUMENT

Plaintiffs respectfully request this Court to modify its June 24th, 2020 orders approving the settlement of the minors' claims in this Anggraini, Maulana, Suganda, Hantoro, Nuraini, Ramadhan, and Silvianti Actions to change the bank designated to hold the blocked trust accounts from **“Chase Bank, Comerica Bank, Comerica Securities, Inc., and/or any other FDIC**

insured banking institution in the United States,” in the previous order, to “**Comerica Bank, and/or any other FDIC-insured banking institution in the United States, or *any affiliates thereof* for the purpose of investing in FDIC-insured products.**” The new language has been reviewed by Comerica’s legal department and will allow the funds in the blocked accounts to be invested appropriately through Comerica and its affiliates.

D. CONCLUSION

Accordingly, Plaintiffs respectfully requests this Court modify the orders approving the minors-plaintiffs’ settlement to change the bank from “**Chase Bank, Comerica Bank, Comerica Securities, Inc., and/or any other FDIC insured banking institution in the United States,**” in the previous order, to “**Comerica Bank, and/or any other FDIC-insured banking institution in the United States, or *any affiliates thereof* for the purpose of investing in FDIC-insured products.**” If it pleases the Court, Plaintiffs will further file notice in this action confirming the name of the banking institution where each blocked trust is held.

Dated: 6/30/2020

Respectfully submitted,

/s/ Christopher B. Noyes

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CERTIFICATE OF SERVICE

The undersigned, counsel of record, certifies that s/he served the foregoing document upon all counsel of record via CM/ECF, on the date set forth below.

Dated: 6/30/2020

/s/ Christopher B. Noyes
Christopher B. Noyes, Cal. State Bar No.
270094 (*Admitted Pro Hac Vice*)

Attorney for Plaintiffs